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EXAMINER	
CHAN, RICHARD	

ART UNIT	PAPER NUMBER
2618	

NOTIFICATION DATE	DELIVERY MODE
09/21/2011	ELECTRONIC

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

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Office Action Summary	Application No.	Applicant(s)	
	09/900,827	SCHWAB ET AL.	
	Examiner	Art Unit	
	RICHARD CHAN	2618	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *17 June 2011*.

2a)☐ This action is **FINAL**. 2b)☐ This action is non-final.

3)☐ An election was made by the applicant in response to a restriction requirement set forth during the interview on _____; the restriction requirement and election have been incorporated into this action.

4)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

5)☒ Claim(s) *8-68* is/are pending in the application.

5a) Of the above claim(s) _____ is/are withdrawn from consideration.

6)☐ Claim(s) _____ is/are allowed.

7)☒ Claim(s) *8-68* is/are rejected.

8)☐ Claim(s) _____ is/are objected to.

9)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

10)☐ The specification is objected to by the Examiner.

11)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

12)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

13)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☐ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☒ Information Disclosure Statement(s) (PTO/SB/08) Paper No(s)/Mail Date *5/16/11*.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application
6) ☐ Other: _____.

DETAILED ACTION

Response to Arguments

1. Applicant's arguments filed 7/12/2010 have been fully considered but they are not persuasive.

Regarding applicant's arguments that the Utsumi reference does not disclose specifically "dialing of at least two of the plurality of telephone number is initiated by a respective command sequentially."

The examiner wishes to point to the applicant to the Utsumi reference, specifically Col.2 line 61-Col. Line 4, Utsumi does implement a keyboard interface for the user to initiate a command sequence in which the cleansing process begins. This cleansing process involves a phone list which is systematically "cleansed". A sequential list of phone numbers is processed by said cleaning command and is detailed in Utsumi. (Col.3 line 12-38)

This "single" command initiates a clean up of a list (list is containing more than 1 phone number) and therefore reads on "dialing of at least two of telephone numbers."

The examiner agrees with the applicant arguments that the newly amended independent claim 8 and new independent claim 54 disclose an method in which a first call and second call are sequentially dialed and then the deletion of both numbers are done in sequential order and therefore overcomes the prior art.

Claim Rejections - 35 USC § 102

2. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (b) the invention was patented or described in a printed publication in this or a foreign country or in public use or on sale in this country, more than one year prior to the date of application for patent in the United States.

3. Claims 8, 9, 11, 14, 33, 39-44, and 50-59 are rejected under 35 U.S.C. 102(b) as being anticipated by Utsumi (5,796,816).

Regarding claims 8 and 54, Utsumi discloses a method comprising: sequentially initiating, by a computer based calling system, a first call (Col.2 line 65-67, step 100 picks a 1st telephone number) and a second call by dialing a first phone number and a second phone number, respectively, (Col.8 line 42-45, once the inspection of the first number is performed a the process returns back to the first step 100 to inspect subsequent numbers)

in response to sequentially receiving a first command and a second command, respectively, wherein the first phone number and the second phone number are sequentially included in a stored list; (Col.8 line 45-50)

and deleting, by the computer based calling system, the first phone number and the second phone number from the list in response to a completion of the first call and the second call, respectively.(Deletion occurs when a disconnect message is sent after a cause is received which causes the DISCONNECT message to be sent Col.7 line 40-59)

Regarding claims 9 and 57, Utsumi discloses method of claim 8 and 54 respectively, further comprising receiving an indication that at least one of the first or second commands is input via an abbreviated command. (Col.2 line 46-58; indicating a file name through a computer terminal 1 to locate file name for cleaning list)

Regarding claims 11 and 59, Utsumi discloses the method of claim 8 and 54 respectively, further comprising receiving an indication that at least one of the first or second commands is input via one or more key buttons of a communications device that performs the sequentially initiating and the deleting. (Col.2 line 46-58; indicating a file name through a computer terminal 1 to locate file name for cleaning list)

Regarding claims 14 and 39, Utsumi teaches the method of claim 8, and one or more tangible computer-readable media of claim 33, wherein the return is performed without manually entering the one or more of the plurality of telephone numbers. Fig.2 (204, not receiving disconnect message, process is reiterated)

Regarding claim 33, Utsumi teaches at least one or more tangible computer-readable media comprising instructions that are executable by a communications device to:

initiate dialing of a plurality of telephone numbers included in a list stored by the communications device sequentially such that the dialing of at least two of the plurality

of telephone numbers is initiated by a respective , sequentially (Claim 1, Col.10 line 27-32) ; and

return to one or more of the plurality of telephone numbers that are unanswered. Fig.2 (204, not receiving disconnect message, process is reiterated)

Regarding claim 40, Utsumi teaches the one or more tangible computer-readable media of claim 33, wherein the returning includes rescheduling the dialing of the one or more said telephone numbers when the one or more said telephone numbers is unanswered. (Claim 1, Col.10 line 27-32)

Regarding claim 41, Utsumi teaches the one or more tangible computer-readable media of claim 33, wherein the instructions are executable to form the list to include telephone numbers of telephone calls that were received by the communications device and not answered. (Claim 1, Col.10 line 27-32)

Regarding claim 42, Utsumi teaches the one or more tangible computer-readable media of claim 41, wherein the instructions are executable to from the list using a caller ID. (Call list is based on phone numbers)

Regarding claim 43, Utsumi teaches the one or more tangible computer-readable media of claim 41, wherein the list is a schedule that details when at least one said telephone number is to be dialed. (Claim 1, Col.10 line 27-32)

Regarding claim 44, Utsumi teaches the communications device comprising a processor and memory (Fig.1) having instructions that are executable on the processor to form a list having a plurality of telephone numbers of unanswered telephone calls of the communications device and provide a feature to sequentially initiate dialing of the plurality of telephone numbers included in the list such that the dialing of at least two of the plurality of telephone numbers is initiated by a respective , sequentially. (Claim 1, Col.10 line 27-32)

Regarding claim 50, Utsumi teaches the communications device of claim 44, further comprising instructions executable on the processor to reschedule the dialing of a particular said telephone number in response to determining that a call directed to the particular said telephone number is unanswered. (Claim 1, Col.10 line 27-32)

Regarding claim 51, Utsumi teaches the communications device of claim 50, wherein the instructiosn to reschedule the dialing are configured to perform the redialing without manually entering the particular said telephone number. (Claim 1, Col.10 line 27-32)

Regarding claim 52, Utsumi teaches the communications device of claim 44, further comprising instructions that are executable to form the list using caller ID to

include telephone numbers of telephone calls that were received by the communications device and were not answered. (Claim 1, Col.10 line 27-32)

Regarding claim 53, Utsumi teaches the communications device of claim 52, Utsumi wherein the instructions to form the list are configured to form a schedule that details when at least one of the plurality of telephone numbers is to be dialed. (Claim 1, Col.10 line 27-32)

Regarding claim 55, Utsumi discloses the method of claim 54, wherein the first command is the same as the second command. , (Col.8 line 42-45, once the inspection of the first number is performed a the process returns back to the first step 100 to inspect subsequent numbers)

Regarding claim 56, Utsumi discloses the method of claim 54, wherein the first command is different from the second command. (Col.8 line 48-52, wherein operation stops if all numbers in the list have been checked)

Regarding claim 57, Utsumi discloses the method of claim 54, wherein the method of claim 54, further comprising receiving an indication that at least one of the first command or the second command is input via an abbreviated command.

58. (Previously Presented): The method of claim 54, further comprising receiving an indication that at least one of the first command or the second command is input via a voice command. 59. (Previously Presented): The method of claim 54, further comprising receiving an indication that at least one of the first command or the second command is input via one or more key buttons of the communications device. 601 (Previously Presented): The method of claim 54, further comprising outputting a pre\-recorded message associated with at least one of the first or second phone numbers before dialing the respective one of the first or second phone numbers.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

5. Claims 10, 34-36, 45-47, and 58 are rejected under 35 U.S.C. 103(a) as being unpatentable over Utsumi et al. (5,796,816)

Regarding claims 10, 34-36, and 58,Utsumi fails to specifically disclose the one or more tangible computer-readable media of claim 33, abbreviated command either entered manually, manually abbreviated command, or by spoken command of a user (although it should be noted that Utsumi does disclose a call command).

Official notice is taken that it is well known in the art to use call commands in either abbreviated manual commands, manual or spoken entry methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to either use manual or user spoken redial entry with Utsumi's cleaning method/system for telephone number list in order to provide the computer user of Utsumi with a wide array of call entry sequences.

Regarding claims 45-47, Utsumi fails to specifically disclose the one or more tangible computer-readable media of claim 44, abbreviated command either entered manually, manually abbreviated command, or by spoken command of a user (although it should be noted that Utsumi does disclose a call command).

Official notice is taken that it is well known in the art to use call commands in either abbreviated manual commands, manual or spoken entry methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to either use manual or user spoken redial entry with Utsumi's cleaning method/system for telephone number list in order to provide the computer user of Utsumi with a wide array of call entry sequences.

6. Claims 12, 13, 15-32, 37, 38, 48, 49, 60-68 are rejected under 35 U.S.C. 103(a) as being unpatentable over Utsumi et al (US 5,636,267) in view of Iwase (US 5,075,894 A).

Regarding claims 12 and 60, Utsumi discloses a device to communicate by telephone call and sending the destination phone number a prerecorded message.

However, Utsumi does not specifically teach the means for outputting a pre-recorded message that is associated with the first of the plurality of telephone numbers;

The Iwase reference however specifically teaches a device to communicate by telephone call and sending the destination phone number a prerecorded message. (Col.1 line 48-55)

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement a pre-recorded message to be sent to a destination number as taught by Iwase to the Utsumi reference in order to communication to destination number users to be informed for the reason of the phone call.

Regarding claims 13, 25, 49, and 61, Utsumi and Iwase combined teach the communications device of claims 12, 21, and 48 respectively, wherein the pre-recorded message is a stored voice message. (Col.1 line 48-55)

Regarding claims, 26, 50, and 62, Utsumi and Iwase combined disclose the apparatus of claim 21 and 44 respectively, wherein the resolving means includes means for returning to the first of the plurality of telephone numbers when the first of the plurality of telephone numbers is unanswered. (Col.6 line 12-23)

Regarding claim 15, 27, 51, and 63, Utsumi and Iwase combined disclose the apparatus of claims 14, 26 and 50 respectively, Utsumi continues to disclose wherein

the returning means is configured to perform without manual entry of the first of the plurality of telephone numbers. (Col.6 line 12-23)

Regarding claims 16, 28, 52, and 64, Utsumi and Iwase combined disclose the apparatus of claims 8, 26 and 50 respectively, Utsumi continues to disclose wherein the returning means is configured to reschedule the dialing of the first of the plurality of telephone numbers when the first of the plurality of telephone numbers is unanswered. (Col.6 line 12-23,)

Regarding claim 17,53, and 65, Utsumi and Iwase combined disclose the apparatus of claim 16, 26, and 52, Utsumi continues to disclose respectively wherein the returning means is configured to perform without manual entry of the first of the plurality of telephone numbers. (Col.6 line 12-23)

Regarding claims 18, 29, and 66 Utsumi and Iwase combined disclose the apparatus of claim 26 and 28, Utsumi continues to disclose wherein the returning means is configured to perform without manual entry of the first of the plurality of telephone numbers. (Col.6 line 12-23)

Regarding claim 21, Utsumi discloses the apparatus comprising:

means for receiving at least one of a plurality of commands to dial at least one of a plurality of telephone numbers included in a list;

wherein each command of the plurality of commands corresponds to a different phone number of the plurality of the phone numbers; (Deletion occurs when a disconnect message is sent after a cause is received which causes the DISCONNECT message to be sent Col.7 line 40-59)

means for dialing the one of the telephone numbers; (Col.5 line 10-13 & Col.5 line 14-17)

and means for resolving a call to the first of the plurality of telephone numbers that is a result of the dialing. (Col.5 line 14-17)

However, Utsumi does not specifically teach the means for outputting a pre-recorded message that is associated with the first of the plurality of telephone numbers;

The Iwase reference however specifically teaches a device to communicate by telephone call and sending the destination phone number a prerecorded message. (Col.1 line 48-55)

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement a pre-recorded message to be sent to a destination number as taught by Iwase to the Utsumi reference in order to communication to destination number users to be informed for the reason of the phone call.

Regarding claims 22-24, Utsumi fails to specifically disclose the abbreviated command either entered manually, manually abbreviated command, or by spoken command of a user (although it should be noted that Utsumi does disclose a call command).

Official notice is taken that it is well known in the art to use call commands in either abbreviated manual commands, manual or spoken entry methods.

Therefore it would have been obvious to one of ordinary skill in the art at the time the invention was made to either use manual or user spoken redial entry with Utsumi's cleaning method/system for telephone number list in order to provide the computer user of Utsumi with a wide array of call entry sequences.

Regarding claim 30, Utsumi and Iwase combined disclose the apparatus of claim 21, Utsumi continues to disclose further comprising means for forming the list to include one or more of the plurality of telephone numbers that correspond to one or more telephone calls that were received but not answered. (Col.6 line 12-23)

Regarding claim 19, 31, and 67 Utsumi and Iwase combined disclose the apparatus of claim 30, Utsumi continues to disclose wherein the forming uses a caller ID. (Claim 1, Col.10 line 27-32)

Regarding claims 20, 32, and 68, Utsumi and Iwase combined disclose the apparatus of claims 18 and 30, Utsumi continues to disclose wherein the list is a schedule that details when at least one of the plurality of telephone numbers is to be dialed. (Col.6 line 12-23)

Regarding claim 37, Utsumi teaches one or more tangible computer-readable media of claim 33, wherein the instructions are further configured to cause an output of a pre-recorded message associated with a particular one of the plurality of telephone numbers before dialing.

The Iwase reference however specifically teaches a device to communicate by telephone call and sending the destination phone number a prerecorded message. (Col.1 line 48-55)

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement a pre-recorded message to be sent to a destination number as taught by Iwase to the Utsumi reference in order to communication to destination number users to be informed for the reason of the phone call.

Regarding claims 38, and 49, Utsumi and Iwase combined teach one or more tangible computer-readable media of claim 37 and 48, wherein the pre-recorded message is a stored voice message. (Col.1 line 48-55)

Regarding claim 48, Utsumi teaches the communications device of claim 44, however does not specifically disclose wherein the instructions are further executable to output a pre-recorded message associated with one of the plurality of telephone numbers before the dialing of the telephone number.

The Iwase reference however specifically teaches a device to communicate by telephone call and sending the destination phone number a prerecorded message. (Col.1 line 48-55)

It would have been obvious to one of ordinary skill in the art at the time of the invention to implement a pre-recorded message to be sent to a destination number as taught by Iwase to the Utsumi reference in order to communication to destination number users to be informed for the reason of the phone call.

Conclusion

7. Any inquiry concerning this communication or earlier communications from the examiner should be directed to RICHARD CHAN whose telephone number is (571)272-0570. The examiner can normally be reached on Mon-Fri 10AM-6PM.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Temesghen Ghebretinsae can be reached on 571-272-3017. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/RICHARD CHAN/
Examiner, Art Unit 2618
9/15/2011

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